

## MINUTES

### DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

December 1, 2009

Conference Room 520, 1 Mendota Road, West St. Paul, Minnesota

#### 1. CALL TO ORDER AND ROLL CALL

Commissioner Paul J. Krause, Chair of the Physical Development Committee of the Whole, called the meeting to order at 9:00 a.m. Commissioners in attendance:

Commissioner Joseph A. Harris, District 1  
Commissioner Kathleen Gaylord, District 2  
Commissioner Thomas Egan, District 3  
Commissioner Liz Workman, District 5  
Commissioner Paul J. Krause, District 6  
Commissioner Willis E. Branning, District 7

Those not in attendance:

Commissioner Nancy Schouweiler, District 4

Also in attendance were:

Lisa Henning, Assistant County Administrator  
Lynn Thompson, Division Director  
Jay Stassen, Assistant County Attorney  
Jeanne Nash Hoffmann, Administrator Coordinator

#### 2. INTRODUCTION OF NEW STAFF

There was no new staff to introduce.

#### 3. AUDIENCE

Chair Krause asked if anyone in the audience wished to address the Committee on an item not on the agenda or if anyone wished to discuss an item on the Consent Agenda. No one came forward.

#### 4. APPROVAL OF THE AGENDA

**Motion by Commissioner Gaylord, Second by Commissioner Branning**, and passed on a 6-0 vote (in the absence of Commissioner Schouweiler) to approve the agenda for December 1, 2009, as presented.

#### 5. CONSENT/INFORMATION AGENDA

**Motion by Commissioner Gaylord, Second by Commissioner Egan**, and passed on a 6-0 vote (in the absence of Commissioner Schouweiler) to approve the consent agenda.

##### **5.1 – Minutes Of The November 10, 2009 Meeting**

Information item; no action requested.

##### **5.2 – Authorization To Execute Household Hazardous Waste Inter-County Reciprocal Use Agreement**

WHEREAS, the Dakota County Board of Commissioners desires to protect public health, surface water, and groundwater by removing household hazardous waste (HHW) from the solid waste stream; and

WHEREAS, Dakota, Anoka, Carver, Hennepin, Ramsey, and Washington Counties each provide a HHW management program for their residents; and

WHEREAS, the Dakota County Board of Commissioners desires to maintain a significant public service whereby county residents may use HHW management facilities in any of the six Solid Waste Management Coordinating Board (SWMCB) -member counties; and

WHEREAS, the Dakota County Board of Commissioners wishes to recover the cost of collection and disposal of HHW to the extent possible; and

WHEREAS, the SWMCB negotiates and approves the six-county Reciprocal Use Agreement (Agreement); and

WHEREAS, the Agreement authorizes monetary transfers between counties to practically compensate each county for residents delivering HHW to sites in other counties; and

WHEREAS, in 2009, SWMCB staff evaluated a variety of options to calculate reciprocity fees with an overall goal to reduce costs; and

WHEREAS, the SWMCB Agreement terms include elimination of the \$5.00 administrative fee; adjusting the per vehicle service fee each year based on the rounded weighted average per vehicle cost for all SWMCB-member county users in the previous year; extending the contract term to five years, through December 31, 2014; and requiring a 180-day notice from a county that wishes to withdraw.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the Solid Waste Management Coordinating Board Household Hazardous Waste Inter-County Reciprocal Use Agreement as presented to the Physical Development Committee of the Whole on December 1, 2009, subject to approval by the County Attorney's Office as to form.

### **5.3 – Authorization To Execute Contract amendment With Ames Construction For County Project 70-06**

WHEREAS, County Project (CP) 70-06 includes the reconstruction of 1.3 miles of County State Aid Highway (CSAH) 70, replacement of the bridge over Interstate 35, and reconstruction of ramps, loops, signals, and frontage roads; and

WHEREAS, right of way acquisition is nearing completion and construction is essentially complete with mainly punch list items remaining; and

WHEREAS, all right of way settlements more than \$5,000 above the appraised amount have been reviewed and approved by the County Board in accordance with County policy; and

WHEREAS, right of way settlement amounts were \$5,239,811 over the budgeted amount; and

WHEREAS, a construction contract with Ames Construction in the amount of \$19,693,797.53 was awarded in May 2008; and

WHEREAS, the construction contract is anticipated to overrun by \$700,000; and

WHEREAS, Resolution No. 01-767 (December 18, 2001) requires that the County Board approve the contract amendments totaling more than \$100,000 on any given project; and

WHEREAS, the County Engineer has reviewed these cost overruns and deemed them necessary.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with Ames Construction for CP 70-06 from \$19,693,797.53 to \$20,393,797; and

BE IT FURTHER RESOLVED, That the 2009 Transportation Capital Improvement Program budget is hereby amended as follows:

<b>Expense</b>	
County Project 70-06	\$5,939,811
County Project 96-02	(1,316,896)
ROW Preservation	(450,000)
<b>Total Expense</b>	<b>\$4,172,915</b>

<b>Revenue</b>	
City of Lakeville	\$2,672,915
State Aid	1,500,000
<b>Total Revenue</b>	<b>\$4,172,915</b>

**5.4– Plat Commission Update** – This was an information item; no action was requested.

## **6. REGULAR AGENDA**

### **6.1 – Update On County Project 97-85 Regional Roadway System Visioning Study**

Transportation Program Engineer Brian Sorenson briefed the Committee on the area transportation system study in northern Dakota County. Partners in this study include the Minnesota Department of Transportation, the Metropolitan Council, the Federal Highway Administration, and the cities of Eagan, Inver Grove Heights, Mendota Heights, and Sun Fish Lake. Brian outlined the alternatives that are being studied to mitigate potential congestion through 2030 in this very large area of the County. Discussion was held; Brian responded to questions on comments and concerns addressed by citizens at the open houses, the impact to traffic on Delaware Avenue, what impact each alternative would have on traffic patterns, and how this ties in with the Yankee Doodle study that was recently completed. This Regional Roadway System Visioning will be completed in the spring of 2010. This was an informational item; no action was requested.

### **6.2 – Approval Of Amendment To Spring Lake Park Reserve Boundary, Authorization To Execute Joint Powers Agreement With State Of Minnesota For Establishment Of Spring Lake Islands Wildlife Management Area, Authorization To Convey Real Property To State Of Minnesota, And Devotion Of Tax Forfeited Lands For Conservation Purposes**

Parks and Open Space Director Steve Sullivan, and Land Conservation Manager Al Singer briefed the Committee on this complex issue. Using a map, they described the parcels under discussion. Mr. Sullivan, Mr. Singer, and Tim Bremicker from the Minnesota Department of Natural Resources Central Regional Wildlife Manager responded to questions. Discussion was held on whether the Metropolitan Mosquito Control District (MMCD) would be permitted to treat this new state wildlife management area (WMA). An agreement between the DNR and MMCD is in place for Fort Snelling in the County. Staff was directed to provide information on the types and levels of mosquitoes, and MMCD treatment history for the area before the 12/15 County Board action on this item.

**Motion by Commissioner Egan, Second by Commissioner Workman** and passed on a 6-0 vote (in the absence of Commissioner Schouweiler), to recommend that the County Board adopt the following resolution:

WHEREAS, under Minn. Stat. § 471.59, the State of Minnesota (State) and Dakota County are empowered to enter into joint powers agreements to perform functions governed by their common powers; and

WHEREAS, under Minn. Stat. § 97A.135 the State is authorized to acquire by gift, lease, easement, purchase or condemnation lands for public hunting, game refuges, and to improve and manage the same; and

WHEREAS, under Minn. Stat. § 97A.145, subds. 1(a) and 1(b), the State may acquire wetlands for conservation relating to wildlife development and may acquire lands owned by the State that is tax forfeited and suitable for wildlife development; and

WHEREAS, under Minn. Stat. § 282.018, subd. 1(d), the State may acquire tax forfeited lands or obtain

management authority via a cooperative agreement; and

WHEREAS, under Minn. Stat. § 282.01 the County may, by duly adopted resolution, submit said resolution to the Commissioner of Natural Resources that tax-forfeited lands classified as conservation lands be devoted for conservation purposes, and further that the Commissioner may make a certificate describing said lands and accepting same on behalf of the State free from the trust for purposes of game refuges, controlled game management areas, public shooting grounds, or other public recreational or conservation uses; and

WHEREAS, under Minn. Stat. § 465.035, upon authorization of the Dakota County Board of Commissioners, the County may convey its lands to the State for public use for a nominal consideration or without consideration; and

WHEREAS, the County's 2003 master plan for the Spring Lake Park Reserve recommends that the islands in Spring Lake be owned and managed by a state or federal agency responsible for managing other aspects of the Mississippi River corridor including management of the islands as part of a larger migratory wildlife system; and

WHEREAS, the County is the fee owner of certain land located in the Spring Lake Park Reserve identified by the following Property Identification Numbers (PINs): 34-02100-010-05, 34-01600-010-60, 34-01600-010-35, and 34-01700-010-13; and desires to convey all of PINs 34-01600-010-35 and 34-01700-010-13 and portions of PINs 34-01600-010-60 and 34-02100-010-05 to the State for no consideration for designation by the State as a portion of the Spring Lake Islands Wildlife Management Area (SLIWMA); and

WHEREAS, there is certain tax forfeited land located within the Spring Lake Park Reserve that the County desires to devote to conservation purposes for designation by the State of the SLIWMA, which are identified by following PINs: 34-01700-010-80, 34-02100-011-33, 34-02100-011-01, 34-01600-011-50, 34-01600-010-75, 34-01600-010-25, 34-01600-010-30, 34-01600-010-01, 34-01600-010-11, and 34-02100-011-10; and

WHEREAS, the County agrees to reclassify these lands identified by the aforementioned PINs from "non-conservation" to "conservation" lands and to devote these lands for conservation purposes through designation by the State as a portion of the SLIWMA; and

WHEREAS, the Metropolitan Council is the fee owner of certain land located in the Spring Lake Park Reserve identified by the following PINs: 34-01700-010-75, 34-01700-010-05, 34-01700-010-11, 34-01700-010-01, and 34-01700-010-09 (i.e., Gores Trust property consisting of approximately 84 acres); and desires to convey said land to the State for no consideration for designation by the State as a portion of the SLIWMA; and

WHEREAS, collectively, the above described parcels are commonly referred to as the Spring Lake Park Reserve Islands; and

WHEREAS, in accordance with Resolution No. 04-347 (August 31, 2004), County staff conducted discussions with the State regarding the transfer of the above described parcels and designation of the Spring Lake Park Reserve Islands as a Wildlife Management Area.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the State of Minnesota for the designation, management, and operation of the Spring Lake Islands Wildlife Management Area as presented to the Physical Development Committee of the Whole on December 1, 2009, subject to the approval of the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the amendment of the Spring Lake Park Reserve boundary and master plan to establish the Spring Lake Islands Wildlife Management Area according to the joint powers agreement as presented to the Physical Development Committee of the Whole on December 1, 2009; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute quit claims deeds conveying the following described real property to the State of Minnesota for no consideration for designation by the State as a portion of the Spring Lake Islands Wildlife Management Area, subject to the approval of the County Attorney's Office as to form:

PIN 34-01600-010-35:

Lot Seven (7) in the Northwest Quarter (NW1/4) of Section (16), Township One Hundred Fifteen (115) North, Range Eighteen (18) West, Dakota County, Minnesota, according to the Government Survey thereof.

PIN 34-01700-010-13:

That part of Government Lot Five (5), Section Seventeen (17), Township One Hundred Fifteen (115), Range Eighteen (18) described as follows: The South 998.58 feet of the East 693 feet of Government Lot Five (5), Section Seventeen (17), Township One hundred Fifteen (115), in Range Eighteen (18), together with that portion of Government Lot Five (5) in said Section Seventeen (17) described as follows: Beginning at the section post on the bank of the Mississippi River between sections Sixteen (16) and Seventeen (17) and thence South on the East line 238.5 feet; thence South 44° West 980 feet; thence North 28° and 45' West 220 feet more or less to its intersection with the North line of said Lot Five (5) and the Mississippi River; thence Northeasterly along said North line to its intersection with the East line in said lot and the point of beginning, according to the Government Survey thereof.

Portion of PIN 34-02100-010-05:

That part of the Northwest Quarter of the Northeast Quarter of Section 21, Township 115 North, Range 18 West, Dakota County, Minnesota lying northerly of the following described line: Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter of Section 21; thence South 00 degrees 09 minutes 21 seconds East, assumed bearing along the west line of said Northwest Quarter of the Northeast Quarter a distance of 102.08 feet to the point of beginning of said line; thence South 64 degrees 07 minutes 01 seconds East a distance of 124.59 feet; thence South 64 degrees 26 minutes 12 seconds East a distance of 155.67 feet; thence South 59 degrees 34 minutes 43 seconds East a distance of 114.58 feet; thence South 59 degrees 36 minutes 45 seconds East a distance of 131.58 feet; thence South 53 degrees 20 minutes 23 seconds East a distance of 92.32 feet; thence South 14 degrees 32 minutes 32 seconds East a distance of 125.20 feet; thence South 29 degrees 13 minutes 09 seconds East a distance of 59.98 feet; thence South 68 degrees 44 minutes 03 seconds East a distance of 68.16 feet; thence South 56 degrees 55 minutes 57 seconds East a distance of 60.94 feet; thence North 63 degrees 20 minutes 22 seconds East a distance of 69.46 feet; thence North 52 degrees 27 minutes 02 seconds East a distance of 57.20 feet; thence South 74 degrees 58 minutes 37 seconds East a distance of 91.34 feet; thence South 66 degrees 46 minutes 02 seconds East a distance of 93.17 feet; thence North 76 degrees 11 minutes 23 seconds East a distance of 32.55 feet; thence North 64 degrees 53 minutes 16 seconds East a distance of 71.65 feet; thence South 10 degrees 08 minutes 41 seconds West a distance of 65.01 feet; thence South 29 degrees 21 minutes 05 seconds East a distance of 74.98 feet; thence South 23 degrees 48 minutes 25 seconds East a distance of 86.08 feet; thence South 64 degrees 33 minutes 09 seconds East a distance of 41.69 feet; thence South 79 degrees 07 minutes 43 seconds East a distance of 58.28 feet; thence South 65 degrees 31 minutes 21 seconds East a distance of 88.27 feet to the east line of said Northwest Quarter of the Northeast Quarter of Section 21 and said line there terminating.

Portion of PIN 34-01600-010-60:

That part of the Southwest Quarter of the Southwest Quarter of Section 16, Township 115 North, Range 18 West, Dakota County, Minnesota lying northerly of the following described line: Commencing at the southwest corner of said Southwest Quarter of the Southwest Quarter of Section 16; thence North 00 degrees 21 minutes 48 seconds West, assumed bearing along the west line of said Southwest Quarter of the Southwest Quarter a distance of 95.02 feet to the point of beginning of said line; thence South 86 degrees 12 minutes 49 seconds East a distance of 163.81 feet; thence South 80 degrees 19 minutes 20 seconds East a distance of 193.31 feet; thence North 37 degrees 42 minutes 01 seconds East a distance of 192.27 feet; thence North 68 degrees 41 minutes 20 seconds East a distance of 105.98 feet; thence North 69 degrees 43 minutes 09 seconds East a distance of 244.42 feet; thence North 82 degrees 59 minutes 26 seconds East a distance of 241.15 feet; thence South 84 degrees 56 minutes 41 seconds East a distance of 286.70 feet to the east line of said Southwest Quarter of the Southwest Quarter of Section 16 and said line there terminating.

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute any deeds necessary to correct and simplify any legal description or boundary line discrepancies related to the real property being conveyed by the County to the State as legally described immediately above, subject to the approval of the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That pursuant to Minn. Stat. § 282.01, subd. 2, the Dakota County Board of County Commissioners hereby reclassifies the following described tax forfeited property from "non-conservation" to "conservation;" that said tax forfeited property would be best devoted to conservation uses as a wildlife management area managed by the Minnesota Department of Natural Resources; and that this resolution is herewith submitted to the Commissioner of the Department of Natural Resources for investigation and acceptance:

PIN 34-01700-010-80:

The North One Half of the West One Half of the Southeast Quarter (N  $\frac{1}{2}$  of W  $\frac{1}{2}$  of SE  $\frac{1}{4}$  ) of Section Seventeen (17), Township One Hundred Fifteen (115) North, Range Eighteen (18) West of the Fifth Principal Meridian, excepting that part thereof included within that certain parcel of land described as follows, to wit: All that part of the West Half of the Southeast Quarter (W  $\frac{1}{2}$  of SE  $\frac{1}{4}$  ) of said Section Seventeen (17) described as follows, to wit: Beginning at the southeast corner of the Southwest Quarter of the Southeast Quarter (SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  ) of said Section Seventeen (17); thence North 88 degrees 42 minutes West a distance of 1029.84 feet to a point; thence North 49 degrees 04 minutes East a distance of 169.4 feet to a point; thence North 24 degrees 04 minutes East a distance of 762.8 feet to a point; thence North 63 degrees 09 minutes West a distance of 177.4 feet to a point; thence North 26 degrees 18 minutes East a distance of 800 feet to a point; thence due east to the quarter quarter section line running northerly and southerly through said Southeast Quarter (SE  $\frac{1}{4}$  ) of said Section Seventeen (17); thence southerly along said quarter quarter section line to the point of beginning. Subject to flowage rights in the United States of America and further subject to all easements of record.

PIN 34-01600-011-50:

The North Half of the Southwest Quarter (N  $\frac{1}{2}$  of SW  $\frac{1}{4}$  ), and the Southeast Quarter of the Southwest Quarter (SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  ), Section Sixteen (16), Township One Hundred Fifteen (115) North, Range Eighteen (18) West of the Fifth Principal Meridian, except that part conveyed to Dakota County by Deed recorded as Document No. 448689, subject to perpetual flowage easement granted to the United States of America, and subject to reservation of all minerals and mineral rights heretofore reserved by the State of Minnesota, and also subject to all restrictions, reservations, and easements of record.

PIN 34-01600-010-75:

The Southeast Quarter (SE  $\frac{1}{4}$ ) of Section Sixteen (16), Township One Hundred Fifteen (115) North, Range Eighteen (18) West of the Fifth Principal Meridian, subject to perpetual flowage easement granted to the United States of America, and subject to reservation of all minerals and mineral rights heretofore reserved by the State of Minnesota, and also subject to all restrictions, reservations, and easements of record.

PIN 34-01600-010-25:

That portion of the Northwest Quarter of the Northwest Quarter (NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  ), designated as State Lot Eight (8) and the South Half of the Northwest Quarter (S  $\frac{1}{2}$  of NW  $\frac{1}{4}$  ), Section Sixteen (16), Township One Hundred Fifteen (115) North, Range Eighteen (18) West of the Fifth Principal Meridian, subject to perpetual flowage easement in the United States of America, and subject to reservation of all minerals and mineral rights heretofore reserved by the State of Minnesota, and also subject to all other restrictions, reservations, and easements of record.

PIN 34-01600-010-30:

Government Lot Number Two (2), Section Sixteen (16), Township One Hundred Fifteen (115), Range Eighteen (18), according to the Government Survey, subject to perpetual flowage easement granted to the United States of America, and subject to reservation of all minerals and mineral rights heretofore reserved by the State of Minnesota, and also subject to all restrictions, reservations, and easements of record.

PIN 34-01600-010-01:

Government Lot Number Three (3), Section Sixteen (16), Township One Hundred Fifteen (115), Range Eighteen (18), according to the Government Survey, subject to perpetual flowage easement granted to the

United States of America, and subject to reservation of all minerals and mineral rights heretofore reserved by the State of Minnesota, and also subject to all restrictions, reservations, and easements of record.

PIN 34-01600-010-11:

Government Lot Number Four (4), Section Sixteen (16), Township One Hundred Fifteen (115), Range Eighteen (18), according to the Government Survey, subject to perpetual flowage easement granted to the United States of America, and subject to reservation of all minerals and mineral rights heretofore reserved by the State of Minnesota, and also subject to all restrictions, reservations, and easements of record.

PIN 34-02100-011-01:

The Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ) of Section Twenty-one (21), Township One Hundred Fifteen (115) North, Range Eighteen (18) West of the Fifth Principal Meridian, except that part conveyed to Dakota County by Deed recorded as Document No. 448689, subject to perpetual flowage easement granted to the United States of America, and subject to reservation of all minerals and mineral rights heretofore reserved by the State of Minnesota, and also subject to all restrictions, reservations, and easements of record.

PIN 34-02100-011-33:

The North Half (N  $\frac{1}{2}$ ) of the East Four Hundred and Forty Feet (440 ft.) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section Twenty-one (21), Township One Hundred Fifteen (115) North, Range Eighteen (18) West of the Fifth Principal Meridian, except that part conveyed to Dakota County by Deed recorded as Document No. 448689, subject to perpetual flowage easement granted to the United States of America, and subject to reservation of all minerals and mineral rights heretofore reserved by the State of Minnesota, and also subject to all restrictions, reservations, and easements of record.

PIN 34-02100-011-10:

The Southeast Quarter of the Northeast Quarter (SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ) of Section Twenty-one (21), Township One Hundred Fifteen (115) North, Range Eighteen (18) West of the Fifth Principal Meridian, except that part conveyed to Dakota County by Deed recorded as Document No. 448689, subject to perpetual flowage easement granted to the United States of America, and subject to reservation of all minerals and mineral rights heretofore reserved by the State of Minnesota, and also subject to all restrictions, reservations, and easements of record.

; and

BE IT FURTHER RESOLVED, That if the Commissioner of the Department of Natural Resources makes a certificate of acceptance of the tax forfeited property described immediately above for management and development as a Wildlife Management Area, the Commissioner shall transmit the certificate to the county auditor, who shall record the certificate with the county recorder and the title to the lands shall be held by the State of Minnesota free from any trust in favor of any and all taxing districts.

### **6.3 – Determination Of Availability Of Regularly Scheduled Solid Waste Pickup Services For All Areas Of Dakota County**

Environmental Management Director Jeff Harthun briefed this item and explained the action requested. Discussion was held on the number of other counties in the State that already ban burning and burying of trash in the rural areas. It was noted that all areas of the county have access to solid waste pick up services.

**Motion by Commissioner Workman, Second by Commissioner Egan** and passed on a 5-1 vote (with Commissioner Branning casting the opposing vote and in the absence of Commissioner Schouweiler) to recommend that the County Board adopt the following resolution.

WHEREAS, Dakota County Ordinance No. 110, Solid Waste Management, Section 3.01 D., "Farm Exception", currently reads in part that, "[a] license shall not be required for a person who owns or operates land used for farming who buries, or burns and buries, solid waste generated from the person's household or as part of the person's farming operation if the burying is done in a nuisance free, pollution free, and aesthetic manner on land

used for farming. This exception does not apply if regularly scheduled pickup of solid waste is reasonably available at the person's farm, as determined by resolution of the County Board"; and

WHEREAS, staff has determined that "regularly scheduled pickup of solid waste" is currently available throughout the county; and

WHEREAS, a variety of environmental and public health problems associated with the open burning and burial of solid wastes have been well-documented; and

WHEREAS, the determination of the availability of regularly scheduled pickup of solid wastes throughout the County by the Dakota County Board of Commissioners has the effect of immediately banning the burning and burial of solid wastes by farmers in the County, by eliminating the applicability of Dakota County Ordinance No. 110, Solid Waste Management, Section 3.01 D., "Farm Exception".

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby determines that regularly scheduled pickup of solid wastes is available to persons residing in all areas of the County; and

BE IT FURTHER RESOLVED, That staff is directed to return to the Dakota County Board of Commissioners with a recommendation to remove Section 3.01 D., "Farm Exception," from Dakota County Ordinance No. 110, Solid Waste Management, the next time amendments to the Ordinance are recommended to the Dakota County Board of Commissioners for its consideration, which is anticipated to occur during the first quarter of 2010.

#### **DIRECTOR'S REPORT**

Lynn Thompson provided her update to the Physical Development Committee. She briefed them on the Lessard-Sams Outdoor Heritage Council, the RFP that was released by the Met Council for Dakota County Link Dial A Ride Services, and the revised Cedar Avenue Transitway 2010 bonding request.

#### **ADJOURNMENT**

Commissioner Krause adjourned the meeting at 10:55 a.m.

Respectfully submitted:

Jeanne Nash Hoffmann  
Administrative Coordinator